

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

KOHCHISE JACKSON,

CASE NO. 19-13382

Plaintiff,

DISTRICT JUDGE TERRENCE G. BERG
MAGISTRATE JUDGE PATRICIA T. MORRIS

v.

CORIZON HEALTH, INC., et al.,

Defendants.

CASE MANAGEMENT AND SCHEDULING ORDER

This case has been referred to Magistrate Judge Patricia T. Morris to handle all pretrial matters. Therefore, a report and recommendation will be prepared on every case dispositive motion for the District Judge's review and determination. The parties in this case also have the option of consenting to the Magistrate handling all proceedings in this case. If the parties wish to consent to full referral, all parties should complete and submit the Notice, Consent, and Reference of a Civil Action to a Magistrate Judge- AO85 which is attached at the end of this order.

The following deadlines shall apply in this case:

Initial Disclosures Exchanged:	August 25, 2020
Motions to Join Parties:	None anticipated
Motion to Amend Pleadings:	None anticipated
Witness List:	October 15, 2019
Discovery Cutoff:	March 11, 2021
Dispositive Motion Deadline:	April 11, 2021

I. DISCOVERY

The Court enforces Rule 26 discovery plans which have been signed by all parties.

Initial disclosures required by FED. R. CIV. P. 26(a)(1)(A), (B), and (C) shall be served on opposing counsel, but NOT filed with the Court, on or before **August 25, 2020**.

The Court reminds the parties that FED. R. CIV. P. 5(d) and E. D. Mich. LR 26.2 prohibit the filing of depositions, interrogatories, requests for the production of documents, requests for

admission, responses to such discovery material, *and certificates of service*, except as provided for in Local Rule 26.2. Disclosures under Rule 26(a)(1) and (2)(B), and the corresponding discovery requests and responses, must not be filed until they are used in the proceedings or the Court orders them to be filed pursuant to LR 26.2. *See* FED. R. CIV. P. 5(d).

As a general rule, all documents that are produced pursuant to a request to produce documents served under Rule 34 must have a Bates number affixed to them and each response to a request to produce documents must specifically identify the responsive documents by reference to the applicable Bates number. Additionally, when an attorney uses an exhibit at a deposition, the attorney must have a copy of that exhibit that can be provided to opposing counsel during the deposition or, alternatively, the document can be provided to opposing counsel prior to the deposition.

Discovery shall be completed on or before **March 11, 2021**. This Court will not order discovery to take place subsequent to the discovery cutoff date. The discovery deadline may not be extended by stipulation and may be extended ONLY if the extension does not affect the motion cutoff.

Any motions concerning discovery disputes must be filed far enough in advance of the deadline so that the motions may be heard and decided before the end of discovery.

II. DISPOSITIVE MOTIONS

Dispositive motions shall be filed on or before **April 11, 2021**. No party may file more than one motion for summary judgment without obtaining leave of court. Challenges to several counts of a complaint shall be brought in a single motion. When filing motions for summary judgment, parties shall proceed in accordance with the following:

1. Facts presented in the “Statement of Material Facts” section *must* be

supported with citations to either the pleadings, interrogatories, admissions, depositions, affidavits, or documentary exhibits. The full text of any unpublished source cited should be filed with the Court within an appendix.

2. Counsel are discouraged from employing elaborate boilerplate recitations of the summary judgment standard or lengthy string citations in support of well-established legal principles. Instead, counsel should focus their analysis on a few well-chosen cases, preferably recent and from controlling courts. Where unpublished opinions or opinions published only in a specialty reporter are cited, copies of the cases must be submitted along with the brief. As to cited deposition testimony, counsel are also encouraged to supply the court with sufficient accompanying pages to provide context. All citations must have page references.

3. Chambers staff will send out a notice of the hearing date. Unless a *pro se* litigant is involved, the Court will not set a briefing schedule. Rather, counsel are expected to comply with the response and reply due dates as set forth in LR 7.1(e) and Rule 6 of the Federal Rules of Civil Procedure. ***Attorneys who do not respond to motions in a timely fashion are not permitted to argue before the Court during oral argument.*** The Court expects strict compliance with LR 7.1(a) regarding concurrence.

4. This judicial officer prefers that a “courtesy copy” not be sent to chambers. The only exception is when the exhibits and/or appendixes are voluminous or for some reason will not reproduce clearly when scanned.

III. ALTERNATIVE DISPUTE RESOLUTION

This process, sometimes referred to as facilitative mediation, is a very effective method for case resolution and is strongly encouraged. An experienced facilitator should be employed. This process can be used at any time during the litigation but is most beneficial after the

majority of the discovery is completed and before dispositive motions are filed. The parties may arrange for facilitation without contacting chambers.

IV. MOTION PRACTICE AND ORAL ARGUMENT

Briefs in support of motions must conform to the requirements of LR 7.1(d) and, in addition, contain a concise statement of facts supported by references to the record. Answers to motions and supporting briefs shall be filed according to the schedule set forth in LR 7.1(e). Attorneys who do not respond to motions in a timely fashion will not be permitted to argue before the Court during oral argument.

V. REQUESTS FOR EXTENSION OF DEADLINES

All requests shall be made in writing to the Court, setting forth good cause. The Court will consider the reasonableness of the request, including its effect on other dates in the scheduling order.

VI. COMPLETION OF REFERENCE ORDER

Once discovery is complete, and dispositive motions (if any) have been decided, this judicial officer will hold a conference with the parties to confirm that this case is ready to proceed to trial. Upon confirmation by the parties that all pre-trial work is complete, a notice will be entered advising the trial judge that the referral has been completed and this case is ready to proceed to trial.

Date: August 20, 2020

S/ PATRICIA T. MORRIS

Patricia T. Morris

United States Magistrate Judge

CERTIFICATION

I hereby certify that the foregoing document was electronically filed this date through the Court's CM/ECF system which delivers a copy to all counsel of record.

Date: August 20, 2020

By s/Kristen Castaneda

Case Manager

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant)
)
)
)
)

Civil Action No. _____

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

*Parties' printed names**Signatures of parties or attorneys**Dates*

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____

*District Judge's signature*_____
Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.